

ECF CASE  
JUDGE ROBINSON

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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**J & J SPORTS PRODUCTIONS, INC.,**  
as Broadcast Licensee of the **May 6, 2006**  
**DELAHOYA/MAYORGA** Program,

Plaintiff,

-against-

**NOTICE OF MOTION FOR  
DEFAULT JUDGMENT**

Civil Action No. 07-CV-11392-SCR-GAY  
HON. STEPHEN C. ROBINSON

ANA LUCIA BAQUERO and CARLOS  
EDUARDO ASITIMBAY, Individually and as  
officers, directors, shareholders and/or principals of  
EL TORERO REST., INC. d/b/a EL TORERO  
RESTAURANT a/k/a EL TORERO SPORTS BAR,

and

EL TORERO REST., INC. d/b/a EL TORERO  
RESTAURANT a/k/a EL TORERO SPORTS BAR  
Defendants.

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**PLEASE TAKE NOTICE** that upon the affirmation of Julie Cohen Lonstein, sworn to  
on the 11<sup>th</sup> day of March 2008, in support of said application and the exhibits attached thereto,  
Plaintiff moves this Court for an order granting the entry of default judgment against the  
Defendants jointly and severally as follows:

**Against, ANA LUCIA BAQUERO, Individually and as officers, directors, shareholders  
and/or principals of EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a  
EL TORERO SPORTS BAR,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)

- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

**Against, CARLOS EDUARDO ASITIMBAY, Individually and as officers, directors, shareholders and/or principals of EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

**Against, EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

Dated: March 11, 2008  
Ellenville, NY 12428

LONSTEIN LAW OFFICE, P.C.

By: /s/ Julie Cohen Lonstein

Julie Cohen Lonstein  
Bar Roll No. JL8521  
Attorney for Plaintiff  
1 Terrace Hill; PO Box 351  
Ellenville, NY 12428  
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**J & J SPORTS PRODUCTIONS, INC.,**  
as Broadcast Licensee of the **May 6, 2006**  
**DELAHOYA/MAYORGA** Program,  
Plaintiff,

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**DEFAULT JUDGMENT**

Civil Action No. 07-CV-11392-SCR-GAY  
HON. STEPHEN C. ROBINSON

ANA LUCIA BAQUERO and CARLOS  
EDUARDO ASITIMBAY, Individually and as  
officers, directors, shareholders and/or principals of  
EL TORERO REST., INC. d/b/a EL TORERO  
RESTAURANT a/k/a EL TORERO SPORTS BAR,

and

EL TORERO REST., INC. d/b/a EL TORERO  
RESTAURANT a/k/a EL TORERO SPORTS BAR

Defendants.  
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The Summons and Complaint in this action having been duly served upon the  
Defendants, ANA LUCIA BAQUERO and CARLOS EDUARDO ASITIMBAY, Individually  
and as officers, directors, shareholders and/or principals of EL TORERO REST., INC. d/b/a EL  
TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR, and EL TORERO REST., INC.  
d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR, on January 19, 2008 and  
February 14, 2008 and said Defendants having failed to plead or otherwise appear in this action,

**NOW**, on motion of JULIE COHEN LONSTEIN, of counsel to LONSTEIN LAW  
OFFICE P.C., attorneys for the Plaintiff, it is hereby

**ORDERED AND ADJUDGED** that J & J Sports Productions, Inc., the Plaintiff, does recover jointly and severally of, **ANA LUCIA BAQUERO, Individually and as officers, directors, shareholders and/or principals of EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

**ORDERED AND ADJUDGED** that J & J Sports Productions, Inc., the Plaintiff, does recover jointly and severally of, **CARLOS EDUARDO ASITIMBAY, Individually and as officers, directors, shareholders and/or principals of EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR,**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

**ORDERED AND ADJUDGED** that J & J Sports Productions, Inc., the Plaintiff, does recover jointly and severally of, **EL TORERO REST., INC. d/b/a EL TORERO RESTAURANT a/k/a EL TORERO SPORTS BAR**

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for

Defendant's willful violation of 605(a)

- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of FIVE HUNDRED TWENTY NINE DOLLARS AND SIXTEEN CENTS (\$529.16)

**ORDERED AND ADJUDGED** that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, there is no just reason for delay in this Default Judgment as the interest of justice require the issuance of judgment as requested without further delay.

Dated: , 2008

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**HONORABLE STEPHEN C. ROBINSON**  
United States District Judge